

#06-0000781

INSTRUMENT PREPARED BY
VIRGINIA GAS AND OIL BOARD

ORDER RECORDED UNDER CODE
OF VIRGINIA SECTION 45.1-361.26

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

APPLICANTS: Hugh MacRae Land Trust/Torch Operating)
Company)
EE & E Fletcher, Inc.)

DOCKET NO.
00-1017-0830-01

RELIEF SOUGHT: Issuance of an Amended Supplemental)
Order Amending Prior Orders Affecting)
Drilling Unit **FF-24** Located in the Oakwood)
Coalbed Methane Gas Field, Buchanan)
County, VA (herein "Subject Drilling Unit"))
to Provide:)
(1) Calculation of Funds Unit Operator)
Deposited into the Escrow Account for)
Subject Drilling Unit by Tract Subaccounts;)
(2) to Applicants, a Royalty Accounting; and)
(3) Disbursement to Applicants)
in Accordance with Their Ownership)
Interests Those Funds Deposited by the)
Unit Operator into Subject Drilling Unit's)
Escrow Subaccount for VGOB Tract 1A)

REPORT OF THE BOARD

FINDINGS AND ORDER

1. **Hearing Date and Place:** This matter came on for final hearing before the Virginia Gas and Oil Board (herein "Board") on November 16, 2004 at the Southwest Virginia Higher Education Center on the campus of Virginia Highlands Community College, Abingdon, VA.
2. **Appearances:** Mary Jo Swartz, Esq. of the firm Swartz and Stump L.C. appeared for the Unit Operator; and Sharon M. B. Pigeon, Assistant Attorney General, was present to advise the Board.
3. **Jurisdiction and Notice:** Pursuant to Va. Code §§ 45.1-361.1 *et seq.*, and in particular Va. Code §§ 45.1-361.21 and 45.1-361.22, the Board finds that it has jurisdiction over the establishment and maintenance of an escrow account, with tract subaccounts, for each of the coalbed methane gas drilling units established by the Board through its field rules that are subject to a Board pooling order. Further, the Unit Operator is required to deposit, as applicable, those funds specified in Va. Code § 45.1-361.21.D., 45.1-361.22.A.2, 45.1-361.22.A.3 and 45.1-361.22.A.4 into the applicable escrow tract subaccounts. The Board finds that: (1) while it does not have jurisdiction to resolve conflicting claims to the ownership of the Coalbed Methane Gas produced by the Unit Operator from wells located on Subject Drilling Unit, and (2) while it does not have jurisdiction to interpret agreements by and between the Gas owners/claimants and/or the Unit Operators or to abridge or contravene the provisions of such agreements, (3) pursuant to Va. Code § 45.1-361.22.A.5, the Board does have jurisdiction and authority to disburse funds from the Escrow Account provided the Board has been provided with a final decision of a court of competent jurisdiction adjudicating the ownership of coalbed methane gas as between the conflicting claimants or an agreement among all claimants owning conflicting estates in the tract in question or any undivided interest therein.

4. **Prior Proceedings:**

- 4.1. On December 11, 2000, the Board executed its order pooling all interests in the Subject Drilling Unit for the production of occluded natural gas produced from coalbeds and rock strata associated therewith (herein "Gas") in accordance with the provisions of Va. Code §§ 45.1-361.21 and 45.1-361.22 (herein "Pooling Order"). The Pooling Order was filed with the Clerk of the Circuit Court of Buchanan County on December 20, 2000 in Deed Book 517 at page 146. The Board designated Pocahontas Gas Partnership, predecessor of CNX Gas Company LLC, as the Unit Operator of the Subject Drilling Unit. The Pooling Order was amended and supplemented by the Board's Supplemental Order regarding elections executed on November 8, 2001 that was filed with the Buchanan County Circuit Court Clerk's Office on November 14, 2001 in Deed Book 534 at page 389 ("Supplemental Order"). The Pooling Order was amended and supplemented by the Board's Supplemental Order Amending Prior Orders executed on June 28, 2003 that was filed with the Buchanan County Circuit Court Clerk's Office on July 3, 2003 in Deed Book 572 at page 568 ("Supplemental Order")(hereafter the Pooling Order and the Supplemental Orders are collectively referred to as the Pooling Order)
- 4.2. To the extent claims to the Gas were in conflict, pursuant to Va. Code § 45.1-361-22 payments attributable to said conflicting claims/interests were ordered deposited by the Unit Operator into the escrow account established by the Pooling Order (herein "Escrow Account"). According to the Pooling Order, the coal fee ownership of Hugh MacRae Land Trust/Torch Operating Company and the oil and gas fee ownership of EE & E Fletcher, Inc. (formerly Ellen Fletcher) or their predecessors in title in a 11.55-acres tract known as VGOB Tract 1A in Subject Drilling Unit FF-24 were in conflict and became subject to the escrow requirements of the Pooling Order.
- 4.3. The Unit Operator's Miscellaneous Petition to the Board, received October 15, 2004 by the Division of Gas and Oil, a copy of which is attached to and made a part hereof, and sworn testimony attested that Hugh MacRae Land Trust/Torch Operating Company and EE & E Fletcher, Inc. (previously Ellen Fletcher) have entered into a royalty split agreement and that by terms of that agreement escrow regarding the conflicting claims of said parties is no longer required. By sworn testimony, the Unit Operator notified the Board that a portion of VGOB Tract 1A of the Subject Unit and the interests of Hugh MacRae Land Trust/Torch Operating Company and EE & E Fletcher, Inc. are subject to the split agreement.
- 4.4. Petitioner gave notice to Hugh MacRae Land Trust/Torch Operating Company and EE & E Fletcher, Inc. that the Board would take the petition referred to in Paragraph 4.3 above under consideration at its hearing. Notice stated that the Board would consider whether to: (1) amend the Pooling Order to provide for the disbursement of funds on deposit in the Escrow Account attributable to Tract 1A; (2) delete the requirement that the Unit Operator place future royalties attributable to the above-named parties in Tract 1A in the Escrow Account, and (3) continue the escrow account under this docket number because parties other than those seeking disbursement under this order are subject to escrow.
- 4.5. The Unit Operator filed the attached accountings for Subject Drilling Unit's Escrow Account with the Board ("Accountings").

5. **Findings:**

- 5.1. Va. Code 45.1-361.22.5 provides:

The Board shall order payment of principal and accrued interests, less escrow account fees, from the escrow account to conflicting claimants within thirty days of receipt of notification of (i) a final decision of a court of competent jurisdiction adjudicating the ownership of coalbed methane gas as between them or (ii) an agreement among all claimants owning conflicting estates in the tract in question or any undivided interest therein. The amount to be paid to the conflicting claimants shall be determined based on the percentage of ownership interest of the conflicting claimants as shown in the

operator's supplemental filing made part of the pooling order that established the escrow account, the operator's records of deposits attributable to those tracts for which funds are being requested, and the records of the escrow account for the coalbed methane gas drilling unit. The interests of any cotenants who have not entered into an agreement shall remain in the escrow account.

5.2 The Petitioner has certified and represented to the Board that:

- (1) Hugh MacRae Land Trust/Torch Operating Company is the owner of 100% of the coal estate underlying VGOB Tract 1A of the subject Drilling Unit.
- (2) EE & E Fletcher, Inc. is the owner of 87.5% of the oil and gas estate underlying VGOB Tract 1A of the subject Drilling Unit FF-24.
- (3) Hugh MacRae Land Trust/Torch Operating Company and EE & E Fletcher, Inc. have entered into royalty split agreements specifying that escrowed funds attributable to their conflicting interests are to be divided with 50% going to the gas owner and 50% going to the coal owner, and also specifying that future royalties be paid directly to the owners according to the split agreement.
- (4) The net interests attributable and to be disbursed to Hugh MacRae Land Trust/Torch Operating Company and EE & E Fletcher, Inc. in Tract 1B are shown in Table 1, below.

TABLE-1		
Tract # 1A Owner Names	Net acres in Unit	% interest in VGOB 00-1017-0830 balance
Hugh MacRae Land Trust/Torch Operating Company P. O. Box 4268 Houston, TX 77210-4268	11.55	8.5164%
EE & E Fletcher, Inc. P. O. Box 28 Rowe, VA 24646	11.55	8.5164%

6. **Relief Granted:**

For the reasons set forth in Paragraphs 4 and 5 above, and based upon the Accounting, the Escrow Agent is ordered to, within 10 days of receipt of this executed order: (1) Disburse escrowed funds attributable to VGOB Tract 1A to Hugh MacRae Land Trust/Torch Operating Company and EE & E Fletcher, Inc. according to the percentages shown in Table 1, above, and mail attributable proceeds to the addresses shown in the table. Exhibit E to the Pooling Order, showing owners subject to escrow, is deleted in toto and replaced with the Exhibit E attached hereto. Further, the Supplemental Order filed in this cause is hereby modified to delete the requirement that payments attributable to the conflicting coalbed methane gas ownership interests of Hugh MacRae Land Trust/Torch Operating Company and EE & E Fletcher, Inc. in Tract 1A be deposited by the Unit Operator into the Escrow Account, and, because there are other owners subject to escrow under the Supplemental Order, the Escrow Agent is directed to continue the Escrow Account for Subject Drilling Unit. To the extent not specifically granted herein, any other or further relief is denied.

7. **Conclusion:**

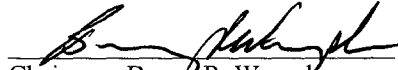
Therefore, the requested relief and all terms and provisions set forth above in Paragraph 6 above be and hereby are granted and IT IS SO ORDERED.

8. **Appeals:**


Appeals of this Order are governed by the provisions of Va. Code § 45.1-361.9 which provides that any order or decision of the Board may be appealed to the appropriate circuit court and that whenever a coal owner, coal operator, gas owner, gas operator, or operator of a gas storage field certificated by the State Corporation Commission is a party in such action, the court shall hear such appeal de novo.

9. **Effective Date:** This Order shall be effective on the date of its execution.

DONE AND EXECUTED this 9th day of March, 2006, by a majority of the Virginia Gas and Oil Board.



Chairman, Benny R. Wampler

DONE AND PERFORMED this 13th day of March, 2006, by an Order of this Board.


B. R. Wilson
Principal Executive to the Staff
Virginia Gas and Oil Board

COMMONWEALTH OF VIRGINIA)
COUNTY OF WISE)

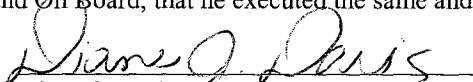
Washington
Acknowledged on this 9th day of March, 2006, personally before me a notary public in and for the Commonwealth of Virginia, appeared Benny R. Wampler, being duly sworn did depose and say that he is Chairman of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.


Susan G. Garrett
Notary Public

My Commission expires: 9/30/09

COMMONWEALTH OF VIRGINIA)
COUNTY OF WASHINGTON)

Acknowledged on this 13th day of March, 2006, personally before me a notary public in and for the Commonwealth of Virginia, appeared B. R. Wilson, being duly sworn did depose and say that he is Principal Executive to the Staff of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.


Diane J. Davis
Notary Public

My commission expires: 9/30/09

BEFORE THE VIRGINIA GAS AND OIL BOARD

PETITIONER: CNX Gas Company LLC

DIVISION OF GAS AND OIL
DOCKET NO: VGOB 00-1017-0830-01

RELIEF SOUGHT: (1) DISBURSEMENT FROM
ESCROW REGARDING TRACT(S) 1A
(2) AND AUTHORIZATION FOR DIRECT
PAYMENT OF ROYALTIES

HEARING DATE: November 16, 2004

DRILLING UNIT: FF-24

BUCHANAN COUNTY, VIRGINIA



MISCELLANEOUS PETITION

1. **Petitioner and its counsel:** Petitioner is **CNX Gas Company LLC**, P. O. Box 947, Bluefield, Virginia 24605, 276/988-1000. Petitioner's counsel is Mark A. Swartz, **Swartz & Stump, I.C.**, P.O. Box 517, Abingdon, VA 24212.

2. **Relief sought:** (1) the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent(s) attributable to a portion of Tract(s) 1A as depicted upon the annexed Exhibit A; and (2) authorization to begin paying royalties directly to the parties to the royalty split between Hugh MacRae Land Trust / Torch Operating Company and EE & E Fletcher, Inc. (previously Ellen Fletcher).

3. **Legal Authority:** Va. Code Ann. § 45.1-361.1 et seq., 4 VAC 25-160-140., and relevant Virginia Gas and Oil Board Orders ("Board") heretofore promulgated pursuant to law.

4. **Type of well(s):** Coalbed methane.

5. **Factual basis for relief requested:** Hugh MacRae Land Trust / Torch Operating Company and EE & E Fletcher, Inc. (previously Ellen Fletcher), have entered into a royalty split agreement. Said royalty split agreement allows the Applicant and Designated Operator to pay royalties directly to the persons identified in Exhibit EE annexed hereto and, further, specifies how said royalties are to be divided and paid, to-wit: 8.516445 total percent of escrow to Hugh MacRae Land Trust / Torch Operating Company and 8.516445 percent of escrow to EE & E Fletcher, Inc..

6. **Attestation:** The foregoing Petition to the best of my knowledge, information, and belief is true and correct.

CNX GAS COMPANY LLC
BY ITS PROFESSIONAL MANAGER
CNX GAS COMPANY LLC, PETITIONER

By:

A handwritten signature in black ink, appearing to read "Leslie K. Arrington".

Leslie K. Arrington
Manager – Environmental / Permitting
CNX Gas Company LLC
P.O. Box 947
Bluefield, Virginia 24605
276/988-1000

Exhibit EE
Unit FF-24
Docket No. VGOB-00-1017-0830
List of Conflicting Owners/Claimants with Royalty Split Agreements

	Net Acres in Unit	Interest in Unit	Percent of Escrow
<u>Tract #1A - 13.20 acres *</u>			
<u>COAL FEE OWNERSHIP</u>			
(1) Hugh Macrae Land Trust, Tr.9 c/o Akin, Gump, et al. 590 Madison Avenue, 20th Floor New York, NY 10022	11.55 acres 7/8 of 13.20 acres	12.93538%	17.03289%
(2) Torch Operating Co. (CBM Royalty Owner) P. O. Box 200722 Houston, TX 77216-0122			
<u>OIL & GAS FEE OWNERSHIP</u>			
(1) EE & E Fletcher, Inc. P. O. Box 28 Rowe, VA 24646 (previously Ellen Fletcher)	11.55 acres 7/8 of 13.20 acres	12.93538%	17.03289%
<u>Tract #1C - 13.39 acres</u>			
<u>COAL FEE OWNERSHIP</u>			
(1) Hugh Macrae Land Trust, Tr.9 c/o Akin, Gump, et al. 590 Madison Avenue, 20th Floor New York, NY 10022	13.39 acres	14.99608%	n/a
(2) Torch Operating Co. (CBM Royalty Owner) P. O. Box 200722 Houston, TX 77216-0122			
<u>OIL & GAS FEE OWNERSHIP</u>			
(1) Pocahontas Gas Partnership P.O. Box 947 Bluefield, VA 24605	13.39 acres	14.99608%	n/a
<u>Tract #1E - 5.12 acres</u>			
<u>COAL FEE OWNERSHIP</u>			
(1) Hugh Macrae Land Trust, Tr.9 c/o Akin, Gump, et al. 590 Madison Avenue, 20th Floor New York, NY 10022	5.12 acres	5.73412%	n/a
(2) Torch Operating Co. (CBM Royalty Owner) P. O. Box 200722 Houston, TX 77216-0122			
<u>OIL & GAS FEE OWNERSHIP</u>			
(1) Pocahontas Gas Partnership P.O. Box 947 Bluefield, VA 24605	5.12 acres	5.73412%	n/a

* Only Tract #1A has been previously escrowed. The remaining tracts have been paid directly to the owners.

**Exhibit 5
Unit FF-241**

**Docket No. VGOB-00-1017-0830
List of Conflicting Owners/Claimants that require escrow**

	Net Acres in Unit	Interest in Unit	Percent of Escrow
<u>Tract #1A - 13.20 acres</u>			
<u>COAL FEE OWNERSHIP</u>			
(1) Hugh Macrae Land Trust, Tr.9 c/o Akin, Gump, et al. 590 Madison Avenue, 20th Floor New York, NY 10022	1.65 acres 1/8 of 13.20 acres	1.84791%	2.43327%
(2) Torch Operating Co. (CBM Royalty Owner) P. O. Box 200722 Houston, TX 77216-0122			
<u>OIL & GAS FEE OWNERSHIP</u>			
(2) Laura Hale Boyd Heirs, Devisees, Successors or Assigns, et al. (1/8 int.)	1.65 acres 1/8 of 13.20 acres	1.84791%	2.43327%
(a) Leah Vernie Baldwin Heirs, Devisees, Successors or Assigns			
(a.1) Velva Marie Charles Rt.5 Box 543 Grundy, VA 24614	0.0107 acres 1/154 of 1.65 acres	0.01200%	0.01580%
(a.2) Opal Mattie Hunt 1207-2059 Huntington Avenue Alexandria, VA 22303	0.0107 acres 1/154 of 1.65 acres	0.01200%	0.01580%
(a.3) Pauline Baldwin 5773 Governors Pond Circle Alexandria, VA 22310	0.0107 acres 1/154 of 1.65 acres	0.01200%	0.01580%
(a.4) Leah Mae Mullins Rt.4 Box 123A Grundy, VA 24614	0.0107 acres 1/154 of 1.65 acres	0.01200%	0.01580%
(a.5) Beulah Diane Boyd Rt.2 Box 453 Vansant, VA 24656	0.0107 acres 1/154 of 1.65 acres	0.01200%	0.01580%
(a.6) Laura Virginia Manier Rt.2 Box 54 Vansant, VA 24656	0.0107 acres 1/154 of 1.65 acres	0.01200%	0.01580%
(a.7) Henry Nathan Baldwin, Jr. Rt.2 Box 453 Vansant, VA 24656	0.0107 acres 1/154 of 1.65 acres	0.01200%	0.01580%
(a.8) Judy Elizabeth Hagy Rt.2 Box 448 Vansant, VA 24656	0.0107 acres 1/154 of 1.65 acres	0.01200%	0.01580%
(a.9) Gary Raymond Baldwin 49 Amsterdam Road Daleville, VA 24083-2921	0.0107 acres 1/154 of 1.65 acres	0.01200%	0.01580%

Exhibit E
Unit FF-24
Docket No. VGOB-00-1017-0830
List of Conflicting Owners/Claimants that require escrow

	Net Acres in Unit	Interest in Unit	Percent of Escrow
(a.10) Bradley Dean Baldwin Rt.2 Box 453 Vansant, VA 24656	0.0107 acres 1/154 of 1.65 acres	0.01200%	0.01580%
(a.11) James Curtis Baldwin Rt.1 Box 422A Vansant, VA 24656	0.0107 acres 1/154 of 1.65 acres	0.01200%	0.01580%
(a.12) Samuel Marcus Baldwin, II P.O. Box 994 Vansant, VA 24656	0.0107 acres 1/154 of 1.65 acres	0.01200%	0.01580%
(a.13) Brandon Scott Baldwin P.O. Box 994 Vansant, VA 24656	0.0107 acres 1/154 of 1.65 acres	0.01200%	0.01580%
(a.14) Samantha Leah Baldwin P.O. Box 994 Vansant, VA 24656	0.0107 acres 1/154 of 1.65 acres	0.01200%	0.01580%
(b) Lizzie Trula Greenwood 4518 Maple Grove Road Hampstead, MD 21074	0.1500 acres 1/11 of 1.65 acres	0.16799%	0.22121%
(c) Ada Nell Stiltner Heirs, Devisees, Successors or Assigns			
(c.1) Patricia G. Rice Rt.1 Box 425 Vansant, VA 24656	0.0250 acres 1/66 of 1.65 acres	0.02800%	0.03687%
(c.2) Teresa Church P.O. Box 473 Davenport, VA 24239	0.0250 acres 1/66 of 1.65 acres	0.02800%	0.03687%
(c.3) Shelia Miller 22455 Wyldwood Road Abingdon, VA 24211	0.0250 acres 1/66 of 1.65 acres	0.02800%	0.03687%
(c.4) Vickie Viers Rt.1 Box 425A Vansant, VA 24656	0.0250 acres 1/66 of 1.65 acres	0.02800%	0.03687%
(c.5) Terry Boyd Rt.1 Box 425A Vansant, VA 24656	0.0250 acres 1/66 of 1.65 acres	0.02800%	0.03687%
(c.6) Wayne Stiltner Rt.1 Box 425A Vansant, VA 24656	0.0250 acres 1/66 of 1.65 acres	0.02800%	0.03687%
(d) Marcus Boyd 863 Evins Avenue Smithville, TN 37166	0.1500 acres 1/11 of 1.65 acres	0.16799%	0.22121%
(e) Ireson Boyd Heirs, Devisees, Successors or Assigns			

Exhibit E
Unit FF-24
Docket No. VGOB-00-1017-0830
List of Conflicting Owners/Claimants that require escrow

	Net Acres in Unit	Interest in Unit	Percent of Escrow
(e.1) Hassie C. Boyd 612 Dry Creek Road Smithville, TN 37166	0.1500 acres 1/11 of 1.65 acres	0.16799%	0.22121%
(f) Charles Milton Boyd Heirs, Devisees, Successors or Assigns			
(f.1) Annie Boyd Heirs, Devisees, Successors or Assigns			
(f.1.1) Lester Boyd Box 182 Vansant, VA 24656	0.0250 acres 1/66 of 1.65 acres	0.02800%	0.03687%
(f.1.2) Helen Viola Coleman Rt.1 Box 586 Vansant, VA 24656	0.0250 acres 1/66 of 1.65 acres	0.02800%	0.03687%
(f.1.3) Betty Perkins Rt.1 Box 421 Vansant, VA 24656	0.0250 acres 1/66 of 1.65 acres	0.02800%	0.03687%
(f.1.4) Peggy Tiller Rt.2 Box 466 Vansant, VA 24656	0.0250 acres 1/66 of 1.65 acres	0.02800%	0.03687%
(f.1.5) Joan B. Boyd Rt.2 Box 461 Vansant, VA 24656	0.0250 acres 1/66 of 1.65 acres	0.02800%	0.03687%
(f.1.6) Barbara Evans 1685 Peach Grove Avenue Harrisonburg, VA 22801	0.0250 acres 1/66 of 1.65 acres	0.02800%	0.03687%
(g) Mary Boyd Cook Heirs, Devisees, Successors or Assigns			
(g.1) Edward Cook Heirs, Devisees, Successors or Assigns			
(g.1.1) Nancy Cook, widow 33967 Wadsworth Libonia, MI 48150	0.0375 acres 1/44 of 1.65 acres	0.04200%	0.05530%
(g.2) Lloyd Cook Rt.5 Box 535 Grundy, VA 24614	0.0375 acres 1/44 of 1.65 acres	0.04200%	0.05530%
(g.3) Willard Cook 6227 East Owens Las Vegas, NV 89110	0.0375 acres 1/44 of 1.65 acres	0.04200%	0.05530%
(g.4) Ercil Cook Heirs, Devisees, Successors or Assigns Address Unknown	0.0375 acres 1/44 of 1.65 acres	0.04200%	0.05530%
(h) Marion Boyd, Jr. Heirs, Devisees, Successors or Assigns			

Exhibit E
Unit FF-24
Docket No. VGOB-00-1017-0830
List of Conflicting Owners/Claimants that require escrow

	Net Acres in Unit	Interest in Unit	Percent of Escrow
(h.1) Sandra Boyd Street P.O. Box 595 Vansant, VA 24656	0.0375 acres 1/44 of 1.65 acres	0.04200%	0.05530%
(h.2) Larry Ireson Boyd 612 Dry Creek Road Smithville, TN 37166	0.0375 acres 1/44 of 1.65 acres	0.04200%	0.05530%
(h.3) Sherry Boyd Stacy P.O. Box 396 Vansant, VA 24656	0.0375 acres 1/44 of 1.65 acres	0.04200%	0.05530%
(h.4) Rodney Boyd HCR Box 29H Grundy, VA 24614	0.0375 acres 1/44 of 1.65 acres	0.04200%	0.05530%
(i) Ardue Guy Boyd Heirs, Devisees, Successors or Assigns			
(i.1) Marshall Boyd 4797 Hayden Crest Drive Hilliard, OH 43026	0.0125 acres 1/132 of 1.65 acres	0.01400%	0.01843%
(i.2) Thelma Boyd Lester HCR Box 1088 Big Rock, VA 24603	0.0125 acres 1/132 of 1.65 acres	0.01400%	0.01843%
(i.3) Ferrell Boyd Rt.2 Box 516 Vansant, VA 24656	0.0125 acres 1/132 of 1.65 acres	0.01400%	0.01843%
(i.4) James H. Boyd Rt.1 Box 55 Vansant, VA 24656	0.0125 acres 1/132 of 1.65 acres	0.01400%	0.01843%
(i.5) Anna Lou Boyd Colley Rt.1 Box 343 Vansant, VA 24656	0.0125 acres 1/132 of 1.65 acres	0.01400%	0.01843%
(i.6) Estil Boyd Heirs, Devisees, Successors or Assigns			
(i.6.1) Katherine Boyd P.O. Box 6883 Statesville, NC 28687	0.0125 acres 1/132 of 1.65 acres	0.01400%	0.01843%
(i.7) Charles Boyd Rt.1 Box 578 Vansant, VA 24656	0.0125 acres 1/132 of 1.65 acres	0.01400%	0.01843%
(i.8) William P. Boyd Rt.2 Box 464 Vansant, VA 24656	0.0125 acres 1/132 of 1.65 acres	0.01400%	0.01843%
(i.9) David G. Boyd Box 54 Vansant, VA 24656	0.0125 acres 1/132 of 1.65 acres	0.01400%	0.01843%

Exhibit E
Unit FF-24
Docket No. VGOB-00-1017-0830
List of Conflicting Owners/Claimants that require escrow

	Net Acres in Unit	Interest in Unit	Percent of Escrow
(i.10) Steve Boyd Rt.1 Box 415 Vansant, VA 24656	0.0125 acres 1/132 of 1.65 acres	0.01400%	0.01843%
(i.11) Robert G. Boyd Rt.1 Box 416 Vansant, VA 24656	0.0125 acres 1/132 of 1.65 acres	0.01400%	0.01843%
(i.12) Carlie B. Clevinger Heirs, Devisees, Successors or Assigns			
(i.12.1) Donald Clevinger Rt.1 Box 422C Vansant, VA 24656	0.0063 acres 1/264 of 1.65 acres	0.00700%	0.00922%
(i.12.2) Franklin Clevinger Rt.1 Box 503A Vansant, VA 24656	0.0063 acres 1/264 of 1.65 acres	0.00700%	0.00922%
(2) James D. Rasnake 22484 Montego Bay Road Abingdon, VA 24211	0.3000 acres 2/11 of 1.65 acres	0.33598%	0.44241%

Tract #1B - 40.87 acres

COAL FEE OWNERSHIP

(1) Hugh Macrae Land Trust, Tr.9 c/o Akin, Gump, et al. 590 Madison Avenue, 20th Floor New York, NY 10022	40.87 acres	45.77220%	60.27135%
(2) Torch Operating Co. (CBM Royalty Owner) P. O. Box 200722 Houston, TX 77216-0122			

OIL & GAS FEE OWNERSHIP

(1) Carlos Hale Heirs, Devisees, Successors or Assigns	40.87 acres	45.77220%	60.27135%
(a) Lorene Hale P.O. Box 841 Cedar Bluff, VA 24609	13.62 1/3 of 40.87 acres	15.25740%	20.09045%
(b) Pamela J. Keene HC65 Box 18B Oakwood, VA 24631	9.08 2/9 of 40.87 acres	10.17160%	13.39363%
(c) Jamie Hale Rt.2 Box 468 Haysi, VA 24256	9.08 2/9 of 40.87 acres	10.17160%	13.39363%
(d) Jeffery C. Hale 1926 Zacks Fork Road Lenoir, NC 28645	9.08 2/9 of 40.87 acres	10.17160%	13.39363%

Exhibit E
Unit FF-24
Docket No. VGOB-00-1017-0830
List of Conflicting Owners/Claimants that require escrow

	Net Acres in Unit	Interest in Unit	Percent of Escrow
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Tract #1D - 13.21 acres

COAL FEE OWNERSHIP

- | | | | |
|--|-------------|-----------|-----------|
| (1) Hugh Macrae Land Trust, Tr.9
c/o Akin, Gump, et al.
590 Madison Avenue, 20th Floor
New York, NY 10022 | 13.21 acres | 14.79449% | 19.48090% |
| (2) Torch Operating Co. (CBM Royalty Owner)
P. O. Box 200722
Houston, TX 77216-0122 | | | |

OIL & GAS FEE OWNERSHIP

- | | | | |
|--|-------------|-----------|-----------|
| (1) Arnold S. Hale, et ux.
HC65 Box 18
Oakwood, VA 24631 | 13.21 acres | 14.79449% | 19.48090% |
|--|-------------|-----------|-----------|

Tract #1F - 0.53 acres

COAL FEE OWNERSHIP

- | | | | |
|--|------------|----------|----------|
| (1) Hugh Macrae Land Trust, Tr.9
c/o Akin, Gump, et al.
590 Madison Avenue, 20th Floor
New York, NY 10022 | 0.53 acres | 0.59357% | 0.78160% |
| (2) Torch Operating Co. (CBM Royalty Owner)
P. O. Box 200722
Houston, TX 77216-0122 | | | |

OIL & GAS FEE OWNERSHIP

- | | | | |
|--|------------|----------|----------|
| (1) Larry Hale, et al.
HC65 Box 118A
Oakwood, VA 24631 | 0.53 acres | 0.59357% | 0.78160% |
|--|------------|----------|----------|

VIRGINIA: In the Clerk's Office of the Circuit Court of Buchanan County. The foregoing instrument was this day presented in the office aforesaid and is, together with the certificate of acknowledgment annexed, admitted to record this 13th day of March, 2006 3:16 P. M.
Deed Book No. — and Page No. —. TESTE: James M. Bevens, Jr., Clerk
Returned to: Donna E. — TESTE: Deborah S. J. — Deputy Clerk